

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

MARY MILLER,

Plaintiff,

v.

EXPERIAN INFORMATION
SOLUTIONS, INC., *et al.*,

Defendants.

Civil No.: 09-2678 (PJS/RLE)

**DECLARATION OF EQUIFAX
INFORMATION SERVICES LLC**

I, Shawn DeGrace, hereby declare under penalty of perjury that the following is true and correct:

1. My name is Shawn DeGrace. I am over 21 years of age and I am competent to testify as to the matters stated herein. I am the Director of Data Management for Equifax Information Services LLC ("Equifax") and have authority to submit this declaration on its behalf.

2. As Director of Data Management I have personal knowledge of the facts herein stated, except to the extent that I state herein another source for my knowledge.

3. As a Director of Data Management, I am knowledgeable about Equifax's business activities, including Equifax's relationship with LexisNexis Risk & Information Analytics Group Inc. ("LNRIAG") and LNRIAG and Equifax's business interactions.

4. There are a number of publicly available records that, if they can be associated with a particular consumer, represent information that may be important to a company using a consumer report to make an eligibility determination regarding the consumer. Civil judgments and tax liens, for example, represent liabilities of the

consumer to whom they relate, and hence may affect the consumer's creditworthiness. Similarly, the fact that a consumer has filed for bankruptcy protection may be a factor used by a lender, an employer, or an insurer in deciding whether and how to deal with that consumer. Where Equifax can associate a bankruptcy filing, a lien, or a civil judgment with a particular consumer, Equifax may include that information in consumer reports that it prepares regarding the consumer.

5. Unlike trade line information which is supplied directly to Equifax by companies that maintain accounts with consumers, public records information is not supplied to Equifax by the courthouses or clerks' offices. Instead, Equifax gathers or contracts with vendors to gather public record information.

6. At this time, Equifax does not itself gather public record information. Historically, Equifax employees collected public records information from sources such as courthouses. Since the 1980's, however, Equifax has maintained relationships with public record vendors (PRVs) such as LNRIAG to gather the public record information.

7. The information about a public record that is collected for Equifax by LNRIAG¹ is generally limited to:

- the originating court or office (e.g., Suffolk County, New York, County Clerk);
- the case or proceeding number;

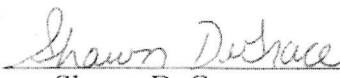
¹ I am informed that the public records and CDV activities of LNRIAG described herein have, since January 1, 2010, been performed by LexisNexis Risk Data Retrieval Services LLC. Because I have no personal knowledge of that fact, I continue to refer to LNRIAG as the current provider of such services.

- the record type (e.g., civil judgment; satisfaction of judgment);
- the date of the record;
- the names shown in the public record as associated with the proceeding (e.g., the plaintiff and the defendant; the tax authority and the taxpayer on a tax lien);
- address(es) shown in the public record for the defendant; and
- if applicable, the dollar amount of the obligation.

8. LNRIAG provides data regarding public records information to Equifax in bulk, at contractually agreed upon intervals for different public records sources.

9. LNRIAG does not furnish information to Equifax about LNRIAG's transactions or experiences with any consumer, because it does not have a transaction or experience with the consumer. For instance, LNRIAG does not report that any accounts between it and a consumer are closed or delinquent, or otherwise provide information — negative or otherwise — about LNRIAG's experiences with a consumer.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge. Executed on April 29, 2010 at Atlanta.


Shawn DeGrace